

The Rhode Island Fire Safety Code Board of Appeal & Review met in Conference Room 109 located at 260 West Exchange Street, Providence RI on Tuesday, December 5, 2006 at 1:00 P.M. Present were Chairman Coutu, Vice Chairman Burlingame and Commissioners Richard, Blackburn, Newbrook, Preiss, O'Connell and Filippi. Also present were Executive Director Thomas Coffey and Assistant Administrative Officer Carol Marsella. The following cases were heard.

APPEAL # 0350486: Mr. Michael Chandley for the property located at 111 Mathewson Street, Providence. Lt. Richard Silva and Lt. Richard Fournier appeared for the Providence Fire Marshal's office. Commissioner Blackburn made a motion, seconded by Commissioner O'Connell, to grant the Applicant a time variance of 15 days from the hearing date in which to install portable fire extinguishers in the business occupancy. The Applicant is granted a time variance of 120 days from the plan approval in order to install a local fire alarm system and illuminated exit signs, and to correct any remaining deficiencies. The motion was unanimous.

APPEAL #050487: Ms. Sunyoung Cho, for the property located at 122 Washington Street, Providence. Lt. Richard Silva and Lt. Richard Fournier appeared for the Providence Fire Marshal's office. Vice Chairman Burlingame made a motion, seconded by Commissioner Newbrook, to grant the Applicant a time variance of 120 days from the plan approval date in order to install a local fire alarm system, and

sixty days from the date of the decision in order to comply with any other outstanding deficiencies. The motion was unanimous.

APPEAL #050621: Mr. Anthony C. Merola, II, for the property located at 171 Atwells Avenue, Providence . Lt. Richard Silva and Lt. Richard Fournier appeared for the Providence Fire Marshal's office. Commissioner Richard made a motion, seconded by Commissioner Newbrook, to grant the following relief. The Applicant shall submit plans by January 31, 2007, for the second means of egress from the second floor, and shall complete the stairway within 120 days of the final plans approval. The Applicant shall correct any deficiencies within the tent behind the building, at the direction and to the satisfaction of the Providence Fire Marshal's office. The motion was unanimous.

APPEAL #050744: Mr. Brian Feeney, for the property located at 571 Admiral Street, Providence. . Lt. Richard Silva and Lt. Richard Fournier appeared for the Providence Fire Marshal's office. Commissioner O'Connell made a motion, seconded by Commissioner Filippi, to grant the Applicant a variance from the provisions of section 13.2.4.2. The motion was unanimous.

APPEAL #050854: Mr. Jerry Hoff, for the property located at 686 Admiral Street, Providence. Lt. Richard Silva and Lt. Richard Fournier appeared for the Providence Fire Marshal's office. Commissioner Richard made a motion, seconded by Commissioner

Newbrook, to grant the Applicant a time variance of 120 days to re-swing the cited door and expand the landing to include railings on both sides, at the direction and to the satisfaction of the Providence Fire Marshal's office. The Applicant is granted a variance from the provisions of section 13.2.4.2 and the Applicant testified that he has corrected deficiency #2. The motion was unanimous.

APPEAL #050880: Mr. David Golden, for the property located at 125-129 Canal Street, Providence. . Lt. Richard Silva, ADSFM Christopher Dillon and Lt. Richard Fournier appeared for the Providence Fire Marshal's office. Commissioner Preiss recused himself from consideration of this case. Commissioner Newbrook made a motion, seconded by Commissioner Filippi, to grant the following relief. The Applicant is granted a time variance of 15 days from the hearing date in which to install fire extinguishers in the locations cited by the Providence Fire Marshal's office. The Applicant is granted a time variance of 60 days in which to correct all items considered "maintenance items" by the Providence Fire Marshal's office. The Applicant is granted a time variance until July 1, 2007, in which to install a compliant sprinkler system in this facility. And finally, the Applicant is directed to comply with the plan of action generated by consultant Ramzi Loqa by May 13, 2006. The motion passed over the objection of Commissioner Blackburn.

APPEAL #050892: Mr. Jesus Rodriguez, for the property located at 971 Broad Street, Providence. . Lt. Richard Silva and Lt. Richard

Fournier appeared for the Providence Fire Marshal's office. Vice Chairman Burlingame made a motion, seconded by Commissioner Newbrook, to grant the Applicant a time variance until April 1, 2007 in which to install a compliant sprinkler system in this facility. The occupancy shall be reduced to 299 persons until said sprinkler system is fully operational. Any heat detection required in hazardous areas in this facility must be installed within thirty days of the hearing date. The motion was unanimous.

APPEAL #050905: McCormack's Pub, for the property located at 312 Veazie Street, Providence. The Applicant did not appear. Lt. Richard Silva and Lt. Richard Fournier appeared for the Providence Fire Marshal's office. Lt. Fournier testified that this facility is in compliance. The Board determined that this file shall be closed.

APPEAL #050925: Mr. Timothy O'Riley, for the property located at 409 Atwells Avenue, Providence. Lt. Richard Silva and Lt. Richard Fournier appeared for the Providence Fire Marshal's office. Commissioner Newbrook made a motion, seconded by Commissioner O'Connell, to grant the Applicant a variance from the provisions of section 13.2.1. The motion was unanimous.

APPEAL #060004: Shawn Potter, for the property located at 101 North Main Street, Providence. Lt. Richard Silva and Lt. Richard Fournier appeared for the Providence Fire Marshal's office. Commissioner Richard made a motion, seconded by Commissioner

Newbrook, to grant the Applicant a time variance of sixty days in which to comply with the provisions of section 13.2.2.2.3 for the cited entrance/exit door. The motion was unanimous.

APPEAL #060147: Mr. Rafael Jimenez, for the property located at 1204-1206 Broad Street, Providence. Lt. Richard Silva and Lt. Richard Fournier appeared for the Providence Fire Marshal's office. Vice Chairman Burlingame made a motion, seconded by Commissioner Blackburn, to grant the Applicant a time variance until April 1, 2007 in which to install a compliant sprinkler system in this facility. Any heat detection required in hazardous areas of this facility must be installed within thirty days of the hearing date.

APPEAL #060154: Four Star Realty, for the property located at 55 Pine Street, Providence. Lt. Richard Silva and Lt. Richard Fournier appeared for the Providence Fire Marshal's office. Vice Chairman Burlingame made a motion, seconded by Commissioner Newbrook, to grant the Applicant the following relief. The Applicant is granted a variance from the provisions of section 13.2.5.1 on the basis of structural hardship. The Applicant is granted a variance from the provisions of section 13.3.2.2. The Applicant is directed to correct deficiencies 4, 5, 6, 7 and 8 at the direction and to the satisfaction of the Providence Fire Marshal's office within 120 days of the date of this decision. The motion was unanimous.

APPEAL #060139: Mainelli's Restaurant, for the property located at

1366 Chalkstone Avenue, Providence. Lt. Richard Silva and Lt. Richard Fournier appeared for the Providence Fire Marshal's office. Commissioner Blackburn made a motion, seconded by Commissioner Newbrook, to grant the following relief. The Applicant is granted a variance from the provisions of section 13.2.4.2. The new owner of the facility testified that he will close this business on July 1, 2007. Therefore, the Applicant is directed to correct all other outstanding deficiencies during that period of shut-down, and not to re-open until the corrections have been made. The motion was unanimous.

APPEAL #060206: For the property located at 989 Broad Street, Providence. The Applicant failed to appear and the Board determined that this file shall be closed.

APPEAL #060707: Ms. Stephanie Finizi, for the property located at 75 South Street, Providence. Lt. Richard Silva and Lt. Richard Fournier appeared for the Providence Fire Marshal's office. Vice Chairman Burlingame made a motion, seconded by Commissioner Filippi, to grant the Applicant a time variance of thirty days in which to have plans approved for the local fire alarm system, and 120 days from plan approval for the installation of a compliant fire alarm system. All other deficiencies shall be corrected within 120 days from the date of the decision. The motion was unanimous.

APPEAL #060716: P.C.R.L. Realty, for the property located at 94-100

Washington Street, Providence. Lt. Richard Silva and Lt. Richard Fournier appeared for the Providence Fire Marshal's office. Commissioner Newbrook made a motion, seconded by Commissioner Blackburn, to grant the Applicant a time variance of fifteen days in which to install compliant fire extinguishers where directed by the Providence Fire Marshal's office. The Applicant is granted a time variance of sixty days in which to correct all remaining deficiencies. The motion was unanimous.

APPEAL #060868: Ms. Tina Siravo, for the property located at 17 Snow Street, Providence. Inspector Christopher Dillon, Lt. Richard Silva and Lt. Richard Fournier appeared for the Providence Fire Marshal's office. Commissioner Blackburn recused himself from consideration of this case. Commissioner O'Connell made a motion, seconded by Commissioner Richard, to grant the Applicant a time variance of sixty days in which to correct all outstanding deficiencies. The motion passed with Vice Chairman Burlingame abstaining.

APPEAL #060942: Shobar, LLC, for the property located at 93-95 Clemence Street, Providence. It was determined by the Board that this variance request will be heard on Tuesday, December 12, 2006.

Respectfully submitted,

Carol Marsella

Assistant Administrative Officer